

REMARKS

Introduction

The present application formerly included claims 1-3, 5-9, 11-14, 16-19, 21-30 and 32-38. With this response, Applicant amends the claims as reflected in the Listing of the Claims, cancels claims 13, 14, 16-19, 27-30 without prejudice or disclaimer of the subject matter thereof, and adds new claims 39-48. New claims 39-43 are dependent on claim 1. New claims 44-48 are dependent on claim 21. Thus, with this Amendment, claims 1-3, 5-9, 11, 12, 21-26 and 32-48 are pending in the present application. Continued examination of the application, as amended, and in view of the following remarks, is respectfully requested.

Applicant wishes to thank the Examiner for the courtesies extended during the telephonic interview of August 9, 2006. Since the Examiner indicated a preference of referring to U.S. Patent Application Publication 2002/0128906 (“the ‘906 Publication), which is the U.S. Patent Office publication of the above referenced patent application, the references to the specification of the application made below will refer to the ‘906 Publication. During the interview proposed amendments to claim 21 and new claims dependent on claim 21 were discussed, and the Examiner suggested amendments to clarify the claims. The Tiley (U.S. Patent No. 7,020,623) and Shane (U.S. Patent No. 5,793,972) references were also discussed with reference to the claims. In the interview the Examiner requested that Applicant cites exemplary references in the specification providing support for new claims and claim limitations. By way of example only, and not for limitation purposes, Applicant provides cites to some of the exemplary references in the specification that provide support for new claims and claim limitations.

Claim Rejections under 35 U.S.C. §103

The Examiner rejected claims 1-3, 5, 7-9, 11, 13, 14, 21-30 and 32-38 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 7,020,623 to Tiley (“Tiley”).

The Examiner rejected claims 6, 12 and 16-19 under 35 U.S.C. §103(a) as being unpatentable over Tiley in view of U.S. Patent No. 5,793,972 to Shane (“Shane”).

Claims 1-3, 5-9 and 11

Claim 1 has been amended to recite the additional limitations of:

the processor further adapted to load the first generic portion and insert a first go action preceding and a first tell target action following the first generic portion; load the first tailored portion and insert a second go action preceding and a second tell target action following the first tailored portion; and interlace the first generic and first tailored portions in forming the audio component.

Support for go actions and tell target actions preceding and following generic and tailored portions of the audio message and interlacing the generic and tailored portions of the message are provided in paragraphs [0056] to [0060] and [0083] of the '906 Publication.

As discussed during the interview, neither Tiley nor Shane disclose, teach or suggest go actions and tell target actions preceding and following generic and tailored portions of an audio message and interlacing the generic and tailored portions of the message as recited in amended claim 1.

For at least the reasons described above and the reasons discussed in the interview, Applicant respectfully requests that the rejection of claim 1 in view of Tiley and Shane be withdrawn. Claims 2, 3, 5-9 and 11 depend on claim 1. Accordingly, Applicant respectfully requests that claims 1-3, 5-9 and 11 be allowed.

Claims 12-14 and 16-19

Claims 13, 14 and 16-19 are canceled by Applicant without prejudice or disclaimer of the subject matter thereof.

Claim 12 has been amended to recite the additional limitations of:

the processor further adapted to load the generic portion and insert a first go action preceding and a first tell target action following the generic portion; load the tailored portion and insert a second go action preceding and a second tell target action following the tailored portion; and interlace the generic portion and the tailored portion in forming the audio component.

Support for go actions and tell target actions preceding and following generic and tailored portions of the audio message and interlacing the generic and tailored portions of the message

are provided in paragraphs [0056] to [0060] and [0083] of the '906 Publication.

As discussed during the interview, neither Tiley nor Shane disclose, teach or suggest go actions and tell target actions preceding and following generic and tailored portions of an audio message and interlacing the generic and tailored portions of the message as recited in amended claim 12.

For at least the reasons described above and the reasons discussed in the interview, Applicant respectfully requests that the rejection of claim 12 in view of Tiley and Shane be withdrawn and that claim 12 be allowed.

Claims 21-26

Claim 21 has been amended to recite the additional steps of:

loading the first generic and first tailored portions in the audio message;
inserting a first go action preceding and a first tell target action following the first generic portion;
inserting a second go action preceding and a second tell target action following the first tailored portion;
interlacing the first generic and first tailored portions.

Support for go actions and tell target actions preceding and following generic and tailored portions of the audio message and interlacing the generic and tailored portions of the message are provided in paragraphs [0056] to [0060] and [0083] of the '906 Publication.

As discussed during the interview, Tiley does not disclose, teach or suggest go actions and tell target actions preceding and following generic and tailored portions of an audio message and interlacing the generic and tailored portions of the message as recited in amended claim 21.

For at least the reasons described above and the reasons discussed in the interview, Applicant respectfully requests that the rejection of claim 21 in view of Tiley be withdrawn. Claims 22-26 depend on claim 21. Accordingly, Applicant respectfully requests that claims 21-26 be allowed.

Claims 27-30

Claims 27-30 are canceled by Applicant without prejudice or disclaimer of the subject matter thereof.

Claims 32-35

Claim 32 has been amended to recite the additional limitations of:

the processor further adapted to load the first generic portion and insert a first go action preceding and a first tell target action following the first generic portion; load the first tailored portion and insert a second go action preceding and a second tell target action following the first tailored portion; load the second generic portion and insert a third go action preceding and a third tell target action following the second generic portion; load the second tailored portion and insert a fourth go action preceding and a fourth tell target action following the second tailored portion; and interlace the first generic portion and the first tailored portion in forming the first audio component; and interlace the second generic portion and the second tailored portion in forming the second audio component.

Support for go actions and tell target actions preceding and following generic and tailored portions of the audio message and interlacing the generic and tailored portions of the message are provided in paragraphs [0056] to [0060] and [0083] of the '906 Publication.

As discussed during the interview, Tiley does not disclose, teach or suggest go actions and tell target actions preceding and following generic and tailored portions of an audio message and interlacing the generic and tailored portions of the message as recited in amended claim 32.

For at least the reasons described above and the reasons discussed in the interview, Applicant respectfully requests that the rejection of claim 32 in view of Tiley be withdrawn. Claims 33-35 depend on claim 32. Accordingly, Applicant respectfully requests that claims 32-35 be allowed.

Claims 36-38

Claim 36 has been amended to recite the additional steps of:

loading the first generic and first tailored portions in the audio message;
inserting a first go action preceding and a first tell target action following the first generic portion;
inserting a second go action preceding and a second tell target action following the

first tailored portion; and

interlacing the first generic portion and the first tailored portion of the audio message.

Support for go actions and tell target actions preceding and following generic and tailored portions of the audio message and interlacing the generic and tailored portions of the message are provided in paragraphs [0056] to [0060] and [0083] of the '906 Publication.

As discussed during the interview, Tiley does not disclose, teach or suggest go actions and tell target actions preceding and following generic and tailored portions of an audio message and interlacing the generic and tailored portions of the message as recited in amended claim 36.

For at least the reasons described above and the reasons discussed in the interview, Applicant respectfully requests that the rejection of claim 36 in view of Tiley be withdrawn. Claims 37 and 38 depend on claim 36. Accordingly, Applicant respectfully requests that claims 36-38 be allowed.

New Claims 39-48

New claims 39-43 depend on amended claim 1 and recite additional limitations regarding go actions, tell target actions and optional tailored portions. Support for these additional limitations are provided in paragraphs [0056] to [0060] of the '906 Publication. It is believed that neither Tiley nor Shane disclose, teach or suggest the additional limitations of new claims 39-43. Accordingly, in addition to the reasons provided above with regard to claim 1, Applicant respectfully requests that the Examiner find claims 39-43 allowable.

New claims 44-48 depend on amended claim 21 and recite additional limitations regarding go actions, tell target actions and optional tailored portions. Support for these additional limitations are provided in paragraphs [0056] to [0060] of the '906 Publication. It is believed that neither Tiley nor Shane disclose, teach or suggest the additional limitations of new claims 44-48. Accordingly, in addition to the reasons provided above with regard to claim 21, Applicant respectfully requests that the Examiner find claims 44-48 allowable.

Final Remarks

Claims 1-3, 5-9, 11, 12, 21-26 and 32-48 are believed to be in condition for allowance. Therefore, Applicant submits that the application is in condition for allowance. Such allowance is respectfully requested.

If necessary, please consider this a Petition for Extension of Time to affect a timely response. Please charge any additional fees or credits to the account of Bose McKinney & Evans, LLP Deposit Account No. 02-3223. In the event that there are any questions related to these amendments or to the application in general, the undersigned would appreciate the opportunity to address those questions directly in a telephone interview (919-861-5092) to expedite the prosecution of this application for all concerned.

Respectfully submitted,
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